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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/763,014	01/22/2004	Richard M. Wilson	260-012 LOT9-2003-0113US1	6500
44185 7590 02/06/2007 LOTUS AND RATIONAL SOFTWARE McGuinness & Manaras LLP 125 NAGOG PARK ACTON, MA 01720			EXAMINER LONG, ANDREA NATAE	
			ART UNIT 2176	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/763,014

Applicant(s)

WILSON ET AL.

Examiner

Andrea N. Long

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 08/12/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-19 have been examined in response to application filed 01/22/2004.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "302" has been used to designate both a basic activity sharing check box and a history of document accesses sharing checkbox. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 304. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office

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action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 561. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "182" has been used to designate both an icon and

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a display. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claim 17 objected to because of the following informalities: Claim 17 is directed towards a system, while independent claim 13 is directed towards a computer program product. Claim 17 should recite "The computer program product of claim 16, further comprising", and for the purposes of examination will be interpreted as such. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

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7. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 1 recites the limitation "said status message" in lines 10 and 11 of page 42. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

Claim 6 recites the limitation "said status message" in lines 13 and 15 of page 43. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

Claim 7 recites the limitation "said status message" in lines 1 and 12 of page 44. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

Claim 12 recites the limitation "said status message" in lines 9 and 11 of page 45. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

Claim 13 recites the limitation "said status message" in lines 19 and 22 of page 4. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

Claim 18 recites the limitation "said status message" in lines 5, 6, 7, and 9 of page 47. There is insufficient antecedent basis for this limitation in the claim.

Examiner suggests changing limitation to recite "said user status message".

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Claim 19 recites the limitation "said status message" in lines 20 and 22 of page 47. There is insufficient antecedent basis for this limitation in the claim. Examiner suggests changing limitation to recite "said user status message".

Claim Rejections - 35 USC § 101

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 13-19 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Independent claim 13, Applicant claims a "computer program product, wherein said computer program product includes a computer readable medium, said computer readable medium having a computer program". In Applicant's specification, page 40 lines 14-22 disclose that suitable forms for the program consist of "communication media for example using baseband signaling ... including carrier wave signaling techniques". Signals and waves do not fall within the four categories (process, machine, manufacture, or composition of matter) of patent eligible subject matter.

Independent claim 19, provides a system for storing, which does not produce a tangible result and is software per se. Software per se is non-statutory subject matter.

Dependent claims 14-18 are rejected as inheriting the deficiencies of independent claim 1.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1, 7, 13, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Godefroid et al (US Patent 6697840 B1), hereinafter “Godefroid”.

As to independent claims 1, 7, 13, and 19, Godefroid discloses providing a user status message in an instant messaging system (Presence Awareness (PA) system), comprising:

obtaining a user status message associated with an owner user (column 4 lines 43-44);

sensing a request to edit said user status message (column 4 lines 45-47, column 5 lines 1-2 → Godefroid the presence information can be updated which will edit the presence information to reflect the current state of the users, e.g. logged in or logged out);

providing an interface for adding a new entry to said status message

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(column 5 lines 1-10 → Godefroid teaches that a screen saver reports the screens activity. When a user has been inactive for a period of time a new status message of screen saver on will be displayed/added);

inputting, through said interface for adding said new entry to said status message, information to include within said new entry (column 5 lines 15-18);
and

adding said new entry to said user status message, wherein said adding said new entry includes inserting a time at which said new entry was added into said user status message (column 5 lines 20-24).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. **Claims 2, 3, 8, 9, 12, 14, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid in view of Pyra Labs (Blogger.com, website updated 12/02/2000), hereinafter "Blogger".**

As to dependent claims 2, 8 and 14, Godefroid teaches adding a new entry. However Godefroid does not teach inserting a date at which said new entry was added into said user status message. Blogger teaches inserting a

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date when a new entry to a collaboration system has been added (Reference to the sample blogs provided on pages 4-7).

It would have been obvious to one skilled in the art at the time the invention was made to have combined blogging with the user status message of Godefroid to determine when the most recent usage of the user status message was edited.

As to dependent claims 3, 9, and 15, Godefroid teaches adding a new entry. However Godefroid does not teach inserting an identifier of a user associated with said request to edit said user status message. Blogger teaches inserting an identifier of a user associated with said request of a new entry (Reference to the sample blogs provided on pages 4-7).

It would have been obvious to one skilled in the art at the time the invention was made to have combined blogging with the user status message of Godefroid to give credit to the user who edited or added the new entry.

As for dependent claim 12, Godefroid teaches means for presenting an interface to said owner user associated with said status message, wherein said interface enables said owner user to indicate at least one other user that is allowed to add an entry to said status message and means for preventing users other than said at least one other user and said owner user associated with said status message from adding an entry to said status message (column 3 lines 2-6, 35-57).

Claim Rejections - 35 USC § 103

14. Claims 4-6, 10, 11, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Godefroid as modified by Blogger as applied to claims 2, 3, 8, 9, 12, 14, and 15 above, and further in view of Byford (IBM Technical Disclosure, "Creation of Web Pages for the Internet", August 1997), hereinafter "Byford".

As to dependent claims 4, 10, and 16, Godefroid as modified by Blogger teaches user status message in an instant messaging system. However Godefroid as modified by Blogger does not teach detecting a character string having a predetermined format within said new entry and forming a link to a web page through said character having said predetermined format. Byford teaches detecting a character string having a predetermined format within said new entry and forming a link to a web page through said character having said predetermined format (3rd paragraph → Byford teaches using words or text to act as a hyperlink)

It would have been obvious to one skilled in the art at the time the invention was made to have combined the messaging system of Godefroid as modified by Blogger with the linking of Byford to allow web pages to be designed and put together without the need of knowledge on the part of the creator of Web

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page markup language and without the immediate need of a computer or other equipment.

As to dependent claim 5, 11, and 17, Blogger teaches creating a new web page on a predetermined server system responsive to said detecting said character string having a predetermined format within said new entry, wherein said link to said web page comprises a link to said new web page, and wherein said new web page is an user editable web page (page 1 and 2 → Blogger teaches using a link such as an existing blog to create a new blog that is editable by the user).

As to dependent claims 6 and 18, Godefroid teaches presenting an interface to said owner user associated with said status message, wherein said interface enables said owner user to indicate at least one other user that is allowed to add an entry to said status message and preventing users other than said at least one other user and said owner user associated with said status message from adding an entry to said status message (column 3 lines 2-6, 35-57).

Conclusion

15. The prior art made of record on Form PTO 892 and not relied upon is considered pertinent to applicant's disclosure.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea N. Long whose telephone number is 571-270-1055. The examiner can normally be reached on Mon - Thurs 7:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrea Long
01/31/2007


WILLIAM BASHORE
PRIMARY EXAMINER